HOUSE BILL NO. 396

INTRODUCED BY GIBSON, P. CLARK, GOLIE, WEISS

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING ANY PERSON WHO IS BORN AFTER JANUARY 1, 1985, TO PROVIDE A CERTIFICATE OF COMPLETION FROM A HUNTER SAFETY AND EDUCATION COURSE BEFORE THE PERSON MAY BE ISSUED A MONTANA HUNTING LICENSE; CLARIFYING THAT THE MONTANA HUNTER SAFETY AND EDUCATION COURSE IS NOT LIMITED TO YOUTHS; AND AMENDING SECTION 87-2-105, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

     Section 1. Section 87-2-105, MCA, is amended to read:
     "87-2-105. Safety instruction required. (1) A hunting license may not be issued to a resident person who is ~~under 18 years of age~~ born after January 1, 1985, unless the person authorized to issue the license receives a certificate of completion from the Montana ~~youth~~ hunter safety and education course established in subsection (5).
     (2) A hunting license may not be issued to a nonresident person who is ~~under 18 years of age~~ born after January 1, 1985, unless the person authorized to issue the license receives a certificate of completion from the Montana ~~youth~~ hunter safety and education course established in subsection (5) or a certificate verifying that the nonresident has successfully completed a hunter safety course in any state or province.
     (3) A hunting license may not be issued to a member of the regular armed forces of the United States or to a member of the armed forces of a foreign government attached to the armed forces of the United States who is assigned to active duty in Montana and who is otherwise considered a resident under 87-2-102(1) or to a member's dependents, as defined in 15-30-113, who reside in the member's Montana household, unless the person authorized to issue the license receives proof of completion of a hunter safety course approved by the department or a certificate verifying that the member or dependent has successfully completed a hunter safety course in any state or province.
     (4) A bow and arrow license may not be issued to a resident or nonresident unless the person authorized to issue the license receives an archery license issued for a prior hunting season or receives proof of completion of a bowhunter education course from the national bowhunter education foundation. Neither the department nor the license agent is required to provide records of past archery license purchases. As part of the department's

bow and arrow licensing procedures, the department shall notify the public regarding bowhunter education requirements.

(5) The department shall provide for a ~~youth~~ hunter safety and education course that includes instruction in the safe handling of firearms and for that purpose may cooperate with any reputable organization having as one of its objectives the promotion of hunter safety and education. The department may designate as an instructor any person it finds to be competent to give instructions ~~to youth~~ in hunter safety and education, including the handling of firearms. A person appointed shall give the course of instruction and shall issue a certificate of completion from Montana's ~~youth~~ hunter safety and education course to a person successfully completing the course.

(6) The department shall provide for a course of instruction from the national bowhunter education foundation and for that purpose may cooperate with any reputable organization having as one of its objectives the promotion of safety in the handling of bow hunting tackle. The department may designate as an instructor any person it finds to be competent to give the national bowhunter education foundation instruction. A person appointed shall give the course of instruction and shall issue a certificate of completion from the national bowhunter education foundation to any person successfully completing the course.

~~(7) The department may develop an adult hunter education course.~~

(7) THE DEPARTMENT MAY DEVELOP AN ADULT HUNTER EDUCATION COURSE.

~~(8)(7)~~(8) The department may adopt rules regarding how a person authorized to issue a license determines proof of completion or achievement."

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